

***Amendments to the Claims***

This listing of claims will replace all prior versions, and listings of claims in the application.

1. (Original) A fuel injection rate control device comprising:  
a governor lever (31) connected to a fuel injection rate control part (16) of a fuel injection pump (12); and  
a limiter (32) for controlling turning of the governor lever within a fixed range so as to control the fuel injection rate to an engine (1), wherein a position of the limiter (32) is changed corresponding to temperature.
2. (Original) A fuel injection rate control device as set forth in claim 1, the limiter (32) further comprising:  
a control section (33b) for determining at least a limit position (33bL) of the governor lever (31) turning in fuel decreasing direction, wherein the limit position (33bL) is moved in further fuel decreasing direction according to increase of temperature of the engine (1).
3. (Original) A fuel injection rate control device as set forth in claim 1, further comprising:  
a stopper (40) for determining a position of the limiter (32) when output power of the engine (1) is set to its maximum; and  
a heat sensitive expansion member provided in the stopper (40), wherein the position of the limiter (32) is changed according to dilatation of the heat sensitive expansion member.

4. (Original) A fuel injection rate control device as set forth in claim 3, wherein wax is used as the heat sensitive expansion member.
5. (Original) A fuel injection rate control device as set forth in claim 3, the stopper (40) further comprising:
  - slide members (44 and 46) slid according to expansion of the heat sensitive expansion member; and
  - a slide restriction member for restricting slide of the slide members; and
  - a casing (41) containing the heat sensitive expansion member, the slide members (44 and 48) and the slide restriction member.
6. (Original) A fuel injection rate control device as set forth in claim 5, wherein springs (48 and 49) are used as the slide restriction member.
7. (Original) A fuel injection rate control device as set forth in claim 3, wherein the stopper (40) is attached to a side surface of the engine (1).
8. (New) A fuel injection rate control device as set forth in claim 2, further comprising:
  - a stopper (40) for determining a position of the limiter (32) when output power of the engine (1) is set to its maximum; and
  - a heat sensitive expansion member provided in the stopper (40), wherein the position of the limiter (32) is changed according to dilatation of the heat sensitive expansion member.

9. (New) A fuel injection rate control device as set forth in claim 4, the stopper (40) further comprising:
  - slide members (44 and 46) slid according to expansion of the heat sensitive expansion member; and
  - a slide restriction member for restricting slide of the slide members; and
  - a casing (41) containing the heat sensitive expansion member, the slide members (44 and 48) and the slide restriction member.
10. (New) A fuel injection rate control device as set forth in claim 4, wherein wax is used as the heat sensitive expansion member.
11. (New) A fuel injection rate control device as set forth in claim 5, wherein wax is used as the heat sensitive expansion member.
12. (New) A fuel injection rate control device as set forth in claim 6, wherein wax is used as the heat sensitive expansion member.